

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 2:11-CR-015
)	
JOHNNY RAY LOPEZ, JR.)	

MEMORANDUM AND ORDER

This criminal case is before the court on the government's motion for a continuance of the July 7, 2011 trial date [doc. 25]. Therein, the government raises three issues: (1) an essential government witness is expecting his first child during the week of trial; (2) the parties remain in plea negotiations; and (3) a substitute prosecuting attorney will be assigned to the case effective June 28, 2011. The defendant does not oppose the requested continuance and agrees that the government has shown good cause.

The court finds the motion well taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In particular, the court finds that the failure to grant the motion would unreasonably deny the government continuity of counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). The motion requires a delay in the proceedings. Therefore, all the time from the filing of the motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

It is hereby **ORDERED** that the government's motion [doc. 25] is **GRANTED**, and this criminal case is **CONTINUED** to Tuesday, **August 30, 2011, at 9:00 a.m.** The new plea deadline and motion filing date is August 16, 2011.

ENTER:

s/ Leon Jordan
United States District Judge